



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4666

Introduced 1/12/2006, by Rep. Arthur L. Turner

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-400
20 ILCS 2310/2310-625

Amends the Department of Professional Regulation Law and the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. In a Section allowing the Director of Professional Regulation to suspend certain licensing requirements after the proclamation of a disaster by the Governor for persons working for the Illinois Emergency Management Agency (IEMA) and the Department of Public Health, provides that working for IEMA may also include working for an emergency services and disaster agency accredited by IEMA and that working for the Department of Public Health may also include working for a local public health department. Makes corresponding changes to a Section granting similar license suspension powers to the Director of Public Health. Effective immediately.

LRB094 16412 RSP 51671 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by
6 changing Section 2105-400 as follows:

7 (20 ILCS 2105/2105-400)

8 Sec. 2105-400. Emergency Powers.

9 (a) Upon proclamation of a disaster by the Governor, as
10 provided for in the Illinois Emergency Management Agency Act,
11 the Director of Professional Regulation shall have the
12 following powers, which shall be exercised only in coordination
13 with the Illinois Emergency Management Agency and the
14 Department of Public Health:

15 (1) The power to suspend the requirements for permanent
16 or temporary licensure of persons who are licensed in
17 another state and are working under the direction of the
18 Illinois Emergency Management Agency (or an emergency
19 services and disaster agency accredited by the Illinois
20 Emergency Management Agency) and the Department of Public
21 Health (or a local public health department) pursuant to a
22 declared disaster.

23 (2) The power to modify the scope of practice
24 restrictions under any licensing act administered by the
25 Department for any person working under the direction of
26 the Illinois Emergency Management Agency (or an emergency
27 services and disaster agency accredited by the Illinois
28 Emergency Management Agency) and the Illinois Department
29 of Public Health (or a local public health department)
30 pursuant to the declared disaster.

31 (3) The power to expand the exemption in Section 4(a)
32 of the Pharmacy Practice Act of 1987 to those licensed

1 professionals whose scope of practice has been modified,
2 under paragraph (2) of subsection (a) of this Section, to
3 include any element of the practice of pharmacy as defined
4 in the Pharmacy Practice Act of 1987 for any person working
5 under the direction of the Illinois Emergency Management
6 Agency (or an emergency services and disaster agency
7 accredited by the Illinois Emergency Management Agency)
8 and the Illinois Department of Public Health (or a local
9 public health department) pursuant to the declared
10 disaster.

11 (b) Persons exempt from licensure under paragraph (1) of
12 subsection (a) of this Section and persons operating under
13 modified scope of practice provisions under paragraph (2) of
14 subsection (a) of this Section shall be exempt from licensure
15 or be subject to modified scope of practice only until the
16 declared disaster has ended as provided by law.

17 (c) The Director shall exercise these powers by way of
18 proclamation.

19 (Source: P.A. 93-829, eff. 7-28-04.)

20 Section 10. The Department of Public Health Powers and
21 Duties Law of the Civil Administrative Code of Illinois is
22 amended by changing Section 2310-625 as follows:

23 (20 ILCS 2310/2310-625)

24 Sec. 2310-625. Emergency Powers.

25 (a) Upon proclamation of a disaster by the Governor, as
26 provided for in the Illinois Emergency Management Agency Act,
27 the Director of Public Health shall have the following powers,
28 which shall be exercised only in coordination with the Illinois
29 Emergency Management Agency and the Department of Professional
30 Regulation:

31 (1) The power to suspend the requirements for temporary
32 or permanent licensure or certification of persons who are
33 licensed or certified in another state and are working
34 under the direction of the Illinois Emergency Management

1 Agency (or an emergency services and disaster agency
2 accredited by the Illinois Emergency Management Agency)
3 and the Illinois Department of Public Health (or a local
4 public health department) pursuant to the declared
5 disaster.

6 (2) The power to modify the scope of practice
7 restrictions under the Emergency Medical Services (EMS)
8 Systems Act for any persons who are licensed under that Act
9 for any person working under the direction of the Illinois
10 Emergency Management Agency (or an emergency services and
11 disaster agency accredited by the Illinois Emergency
12 Management Agency) and the Illinois Department of Public
13 Health (or a local public health department) pursuant to
14 the declared disaster.

15 (3) The power to modify the scope of practice
16 restrictions under the Nursing Home Care Act for Certified
17 Nursing Assistants for any person working under the
18 direction of the Illinois Emergency Management Agency (or
19 an emergency services and disaster agency accredited by the
20 Illinois Emergency Management Agency) and the Illinois
21 Department of Public Health (or a local public health
22 department) pursuant to the declared disaster.

23 (b) Persons exempt from licensure or certification under
24 paragraph (1) of subsection (a) and persons operating under
25 modified scope of practice provisions under paragraph (2) of
26 subsection (a) and paragraph (3) of subsection (a) shall be
27 exempt from licensure or certification or subject to modified
28 scope of practice only until the declared disaster has ended as
29 provided by law.

30 (c) The Director shall exercise these powers by way of
31 proclamation.

32 (Source: P.A. 93-829, eff. 7-28-04.)

33 Section 99. Effective date. This Act takes effect upon
34 becoming law.